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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined second and third periodic reports of Mauritania

Addendum

Information provided by Mauritania in follow-up to the concluding observations*

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Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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Introduction

1. On 3 July 2014, during the fifty-eighth session of the Committee on the Elimination of Discrimination against Women, the Islamic Republic of Mauritania presented its combined second and third periodic reports on implementation of the Convention on the Elimination of All Forms of Discrimination against Women. During that session, the Committee made recommendations for further improvement of the situation of women in Mauritania. It also requested Mauritania to give priority attention to the implementation of its concluding observations and recommendations between now and the submission of the next periodic report in July 2018.

2. However, the Committee called on Mauritania to provide in two years — in other words, in 2016 — written information on the steps taken to implement the recommendations, contained in paragraphs 25 and 45, relating to female genital mutilation and the situation of Haratine women, Afro-Mauritanian women and women refugees.

3. The present follow-up report, prepared in accordance with the guidelines for drafting the follow-up reports of States parties on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, contains an update on the measures taken by the Government of Mauritania to implement the recommendations contained in paragraphs 25 and 45.

I. Female genital mutilation

(a)

4. In relation to this first point, in May 2017, the Government adopted a comprehensive children's code, article 79 of which criminalizes female genital mutilation and characterizes it as cruel, inhuman and degrading treatment: "Cruel, inhuman or degrading treatment includes: harmful excision and all other similar practices performed on female children, negative customary, cultural and social practices affecting the physical integrity, health or dignity of the child".

5. The national reproductive health programme has included an important component on fistula repair and the integration of fistula patients into society through income-generating activities and the provision of material assistance.

6. The National Health Information System now includes fistula cases in its collection of routine data.

(b)

7. Health professionals have been pioneers in the fight against female genital mutilation in Mauritania and on the basis of their formal statement about the harmful impact of female genital mutilation on the health of women and girls, religious leaders have enacted two fatwas (opinions of Muslim jurists), one national and one subregional, prohibiting female genital mutilation. They have participated in various training seminars and conducted several awareness-raising sessions with the ulamas to discourage female genital mutilation.

(c)

8. Under the new child protection code, female genital mutilation is characterized as cruel, inhuman and degrading treatment and practitioners are subject to criminal prosecution.

(d)

9. In recent years, Mauritania has strengthened its commitment to the promotion and protection of women's rights in the context of combating violence against women, and in particular female genital mutilation, by acceding to the international conventions that protect their rights, and establishing important institutional mechanisms, including:

- The National Committee to Combat Gender-based Violence, including Female Genital Mutilation
- Regional committees to combat gender-based violence, including female genital mutilation
- The establishment of a network of non-governmental organizations (NGOs) specialized in addressing female genital mutilation
- The implementation of operational procedures and standards on combating violence against women to ensure a better response and holistic care for survivors of gender-based violence
- The development and adoption of the 2016-2030 strategy for accelerated growth and shared prosperity, sensitive to gender and human rights
- The implementation of the national gender mainstreaming strategy and the establishment of its institutional coordination, steering and monitoring mechanisms (the national committee chaired by the Prime Minister, the gender monitoring group and sectoral units)
- The development and approval of the draft framework act on violence against women and girls, in the process of being adopted by the parliament
- Training in the prevention of female genital mutilation for 180 imams from mosques in high-prevalence regions
- Implementation of an action plan to encourage the voluntary discontinuation of female genital mutilation in high-prevalence *wilayas*
- The dissemination in the public and private media of a fatwa prohibiting female genital mutilation
- The development of a national action plan on gender-based violence in Mauritania for the period 2014-2018, which will facilitate a full understanding of the problem and more effective management of gender-based violence
- The expansion of regional cells and committees for addressing and settling family disputes
- Observation of a day of zero tolerance for female genital mutilation
- Preparation of educational materials (booklets, pamphlets, films and a module on female genital mutilation)
- The development of a strategy to end female genital mutilation, with a five-year action plan
- The organization of awareness-raising campaigns against harmful practices, including female genital mutilation and child marriage
- The development of standardized training modules on female genital mutilation, including cultural arguments

- The prevalence of female genital mutilation is continuously declining. It has fallen from 65.8 per cent in 2007 (2007 Multiple Indicator Cluster Survey (MICS)) to 54.8 per cent in 2011 (MICS 2011) and 53.2 per cent in 2015

(c)

10. As part of the focus on empowering women — and in addition to the important efforts made to build their capacity through training — a fund to finance income-generating activities was established in 2015. The fund has already allocated financing to over 1,600 women's cooperatives established in 202 communes in high-prevalence regions of the country for a total of UM 226 million. An additional UM 60 million has been proposed for this year so that the fund can finance income-generating activities for girls graduating from training centres for the advancement of women and children in order to ensure their integration into the labour market.

II. Situation of Haratine women, Afro-Mauritanian women and women refugees

(a), (b)

11. Mauritania makes no distinction among its citizens, who are equal before the law under the Constitution of 20 July 1991, revised in 2006, 2012 and 2017, which provides, in article 1, that "Mauritania is an Islamic, indivisible, democratic and social republic. The Republic guarantees all citizens equality before the law, without distinction as to origin, race, sex or social status."

12. The constitutional principle of equality of citizens before the law is embodied in all legislative texts (labour; trade, investment, land ownership, electoral inter alia).

13. The eradication of contemporary forms of slavery and their consequences is a priority for the Government. To this end, on 6 March 2014, it adopted a road map for the eradication of contemporary forms of slavery and established an interministerial committee chaired by the Prime Minister, with a brief to implement the recommendations of the road map, and a follow-up committee.

14. This committee comprises representatives of ministries, the National Human Rights Commission and civil society organizations, with the Office of the United Nations High Commissioner for Human Rights country office in Mauritania participating as an observer.

15. An action plan for implementation of the road map was adopted on 30 September 2014 and the following action was taken:

- The adoption of Act No. 2015-031 of 10 September 2015, superseding Act No. 048/2007 criminalizing slavery and punishing slavery-like practices, which grants non-governmental organizations the right to intervene as a third party in court proceedings
- The observance on 6 March each year of the national day to address the consequences of slavery
- The introduction of a cash transfer programme to help finance school enrolment for school-age children from families living in poverty and/or affected by the consequences of slavery
- The approval of a plan of action to combat child labour

- The development of educational infrastructure such as schools and school canteens in education priority zones
- The organization of campaigns to raise awareness of the unacceptability of slavery
- The organization of workshops for civil society organizations and the media on anti-slavery legislation
- The promulgation by the Association of Ulamas (religious leaders), on 27 March 2015, of a fatwa on the illegitimacy of the practice of slavery
- The implementation of income-generating projects for persons affected by the consequences of slavery and poverty.

16. In 2016, the Tadamoun agency carried out the following activities as part of efforts to eradicate the consequences of slavery:

Construction of schools: 22 schools

Facility	*Location*
Full primary school	Laoussi, Barkéwol commune
Full primary school in Jirana	'Adel Bagrou commune
School complex in Touymiret Lemarid	Bou Gadoum commune
Full primary school in Yéngui Leksar	Koumbi Saléh commune
Primary school in Afodiar Nouazir, Bokkoul commune	Mônguel
Full primary school in Elmachra (Lot 1)	Tamouret Enaj commune, Moudjéria
Full school in Akneïker, Tamouret Enaj commune (Lot 2)	Moudjéria
Full school in Medina, Touïl commune (Lot 1)	Tintâne
Full school in Set, Touïl commune (Lot 1)	Tintâne
Full school in Breima, Touïl commune (Lot 2)	Tintâne
Full school in Kerkerate, Voulaniya commune (Lot 4)	Koubeni
Full school in Gogui Zemal, Koubeni commune (Lot 4)	Koubeni
Full school in Koussane, Fassalé commune	Bassikounou
Full school in Terwen, Atar commune	Atar
Full school in Kindierle, Fassalé commune	Bassikounou
Full school in Likhdeima, Tâmoûrt en Na'âj commune	Moudjéria
Full school in Ouâd Nâga, Ouâd Nâga commune	Ouâd Nâga
Full school in Ouâd Nâga, Ouâd Nâga commune	

Facility	*Location*
2 full schools in Bouratt	Bouratt
4 classrooms, Head's office, 3 latrines and boundary wall in Niaylia	Touïl
4 classrooms, Head's office, 3 latrines and boundary wall in Hreijat Ehel Cheikh Ahmed	Touïl

Construction of classrooms in existing schools, 48 additional classrooms in 15 schools

Facility	*Location*
3 classrooms, boundary wall and latrine, Daghveg commune	Barkéwol
3 classrooms in Daghveg, Boghé commune	Boghé
2 classrooms in Bassinguidi, Male commune	Magta Lahjar
3 classrooms in Tendel, Dionaba commune	Magta Lahjar
3 classrooms in El Wassaa, Dionaba commune	Magta Lahjar
3 classrooms in Mohamed Zein, Dionaba commune	Magta Lahjar
2 classrooms in Zreigatt, Hassi Chegar commune	Sélibaby
2 blocks of 2 classrooms in Hassi Sidi, Tachot commune	Sélibaby
2 blocks of 3 classrooms at the secondary school in Mônguel, Mônguel commune	Mônguel
2 classrooms for village group around Toungad, Oujeft commune	Oujeft
3 classrooms in Tirebane, Oujeft commune	Oujeft
3 classrooms in Legned, Soudoud commune	Moudjéria
3 classrooms in Kehmeit, Soudoud commune	Moudjéria
3 classrooms, Dakhlet Init	Moudjéria

Health — Local clinics set up: 20

Facility	*Location*
Clinic in Ajar El Bouhli in Barkéwol commune	Barkéwol
Clinic in Touymiret Lemarid, Bou Gadoum commune	Amourj
Clinic in Nbeya Savra	Timbedra
Clinic in Elmahrad, Ksar el Barka commune	Djiguenni

Facility	*Location*
Clinic in Koussana	Bassikounou
Construction of clinic in Voulaniya, Hodh el Gharbi	Touïl
Clinic in Teichet, Touïl commune	Tintâne
Clinic for the Breima village group, Bghawa and Baizir	Touïl
Clinic in Niayliya	Tintâne
Clinic for the Galb El Kheir village group	Tintâne
Clinic for the Hassi Lekwar village group	Tintâne
Clinic in Afodiar Nouazir	Mônguel
Clinic in Zguelim commune	Mônguel
Clinic in Daghveg	Boghé
Clinic in Bassinguidi, Male commune	Magta Lahjar
Clinic in Tendel	Mahta Lahjar
Construction of a clinic in Nteichit, Trarza	Boutilimit
Construction of a clinic in Jidr Mohguen, Trarza	Rosso
Clinic in Zira, Atar commune	Atar
Clinic in Daber	Moudjéria
Clinic in Timbreihim	Moudjéria

Boreholes drilled: 39.

Safe drinking water systems installed: 18.

Boreholes: Number of boreholes drilled: 39

- 3 in Brakna including safe drinking water system (Tendel — 3.5 m^3/h, Sed Gadel — 4 m^3/h, Agmeimine — 4 m^3/h)
- 2 in Hodh el Gharbi (Bounya — 10 m^3/h and Hassi Lekwar — 14 m^3/h)
- 2 in Gorgol including small drinking water systems (Afodiar village group, Mônguel) with flow rates of 3 m^3/h and 7.5m^3/h respectively, plus 2 additional boreholes in Afodiar with flow rates of 7 m^3/h and 2.8m^3/h respectively
- 6 boreholes in Hodh el Gharbi — Tegowdit, flow rate 5 m^3/h (Touil); Lighatha, flow rate 5 m^3/h (Touil); Messiel Gourvave, flow rate 10 m^3/h (Touïl); Lehreija, flow rate 6 m^3/h (Touïl); Lembeidie, flow rate 10 m^3/h (Touïl); Baghdad, no flow rate (Touïl)
- 1 borehole in Assaba (Gdemballa) with a flow rate of 5 m^3/h
- 2 boreholes for the Tenkarra village group, Radhi commune, Tamchekett, Hodh el Gharbi in Reyoug and Nichane. The Reyoug project duplicated the Agency for the Promotion of Universal Access to Services project. Reyoug flow rate: 7 m^3/h; Nichane flow rate: 5 m^3/h

- 2 boreholes in Tendewali 1 (18 m^3/h) and Tendewali 2 (7 m^3/h) in the town of Chinguitty
- 4 agricultural wells in Tagant
- 2 boreholes to supplement the catchment area in the town of Tidjikja under a tender let by the National Water Corporation
- 2 boreholes in Binihmik (Ghoudiya) and Guelaga, Soudoud commune, Moudjéria in Tagant
- 10 boreholes in the *wilayas* of the two Hodhs, Tagant, Brakna and Guidimagha, as follows:
- 1 borehole in the settlement of Ajouer (8 m^3/h), Boutilimit, Trarza

Safe drinking water systems: Safe drinking water systems installed 18

Drinking water grid in settlements in Afodiar, Mônguel, Gorgol

Drinking water grids in the settlements of Agmamime, Sad Gadel and Tendel, Maghta Lahjar in Brakna

- 3 drinking water systems installed as part of the Lehdada Programme reassigned to the National Directorate for Rural Water Supply in the settlements of Blajmil (Guidimagha), Lemen (Hodh el Gharbi) and Samassak (Hodh ech Chargui)
- Construction of a water tower with a capacity of 150 m^3 in Moudjéria
- Drinking water system in Guedmballa 2, Leweissi commune, Drinking water system in Tegowdit, Touïl, Hodh el Gharbi
- Drinking water system in Libreija, Touïl, Hodh el Gharbi
- Drinking water system in El Bounya, Ain Varba, Hodh el Gharbi
- Drinking water system in Reyoug 2, Radhi commune, Tamchekett, Hodh el Gharbi
- Drinking water system in Nichane, Radhi commune, Tamchekett, Hodh el Gharbi
- Drinking water system in Lighatha, Touïl, Hodh el Gharbi
- Drinking water system in Messiel Guervave, Touïl, Hodh el Gharbi
- Drinking water system in Hassi Lekwar, Ain Varba, Hodh el Gharbi
- Drinking water system in Lembedie, Touïl, Hodh el Gharbi

Dams constructed: 6

- Legned, Male commune, Maghta Lahjar, Brakna
- Jikh, Mônguel in Gorgol
- Daber, Soudoud commune, Moudjéria *moughataa*, Tagant
- Akneikir, Tamourt Naaj commune, Moudjéria *moughataa* in Tagant
- Chlakh Lihmir, Maghta Lahjar *moughataa*, in Brakna
- Louebda, Akjoujt

Agricultural development projects completed: 6

- Debaye Mbeynik, 80 ha, Ntekane commune, Rkiz, Trarza
- Mbotto, 81 ha, Mbagne commune, Mbagne commune, Mbagne *moughataa*, Brakna
- Ngourdiane, 70 ha, Dar El Barka commune; Boghé *moughataa*, Brakna
- Thinguelèi, 40 ha, Mbagne commune; Mbagne *moughataa* in Brakna
- Sénékouna/Medina, 40 ha, Aéré Mbar commune; Bababé *moughataa*, Brakna
- Ndiorol, 60 ha, Dar El Avia commune; Boghé *moughataa*, Brakna

17. Over the past five years, social protection has seen positive institutional developments, including through the adoption of the national social protection strategy in 2014. The Strategy proposes a long-term vision and a road map for the establishment of an integrated social protection system, operationalized by, inter alia, a project to support social safety nets, including the national programme of social transfers. To better target potential beneficiaries of social protection services, a national poverty register is being prepared. Social protection is an important issue for Mauritania. The system's institutional anchorage and targeted approach will be crucial. As an important management and coordination tool, it will have a significant impact on the efficiency and effectiveness of social protection.

18. Other actions of note include: (i) the implementation of several projects and initiatives under social safety net programmes for the most vulnerable social groups (Emel programme, school canteens and cash transfers); (ii) cash transfers to care for and support destitute patients living with chronic diseases; (iii) promotion and protection of the rights of the child and persons with disabilities; (iv) cash transfer services for children with multiple disabilities, and financing of income-generating activities for hundreds of persons with disabilities; (v) improving the functional independence of persons with disabilities through the free distribution of technical aids; (vi) free medical care for destitute patients (including dialysis patients) in national hospitals and abroad (with financial support in the latter cases); (vii) the establishment of a database of beneficiaries of social assistance and (viii) the advancement of the social and economic status of women: adoption of the national gender mainstreaming strategy in 2015 and its implementation.

(c)

19. The body of national legislation enshrines the prohibition of all forms of discrimination. All segregation is firmly condemned, as reflected in the establishment of an independent human rights institution in line with the Paris Principles and the adoption of laws criminalizing slavery and slavery-like practices, suppressing human trafficking, criminalizing torture and establishing a national mechanism for the prevention of torture.

20. The Constitution prohibits any racial or ethnic discrimination and recognizes citizens' civil, political, economic and social rights.

21. A bill criminalizing discrimination has been submitted to the Government for approval. Article 1 of the bill defines discrimination as "any distinction, exclusion, restriction or preference which has or may have the purpose or effect of nullifying, compromising or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social and cultural fields or any other realm of social life."

22. Mauritania remains committed to the guiding principles and values of the international fight against racism, racial discrimination, xenophobia and related intolerance.

23. Mauritanian law prohibits all incitement to acts of racial discrimination. It contains a series of provisions declaring punishable by law all dissemination of ideas based on racial superiority or hatred, any incitement to racial discrimination, as well as all acts of violence or provocation against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities.

24. The provisions on freedom of the press ban any publications or discourse that incite hatred or ethnic and regional prejudices.

25. The law on political parties requires parties to refrain from any incitement to intolerance or violence and from any propaganda intended to undermine territorial integrity or national unity.

26. The State has taken legislative and regulatory measures to combat discrimination through the following actions:

- The adoption of legislation criminalizing slavery and punishing slavery-like practices
- The adoption of a road map and action plan for the eradication of contemporary forms of slavery
- The adoption of legislation on legal aid and the development of a national strategy on access to justice to facilitate its implementation
- The criminalization of torture and the establishment of a national mechanism for its prevention
- The operationalization of the National Human Rights Commission, in line with the Paris Principles
- The implementation of the Convention against Torture and its optional protocol
- The lifting of all restrictions on the freedom of association, including recognition of the organizations that are members of the National Forum for Human Rights Organizations
- The decriminalization of press offences
- The harmonization of provisions relating to nationality
- The prohibition of discrimination in access to public services and employment

27. Mauritania has incorporated in its anti-discrimination strategy the recommendations of the Committee on the Elimination of Racial Discrimination and those of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

28. The Labour Code enshrines the principle of non-discrimination and expressly establishes equality of access to employment. It prohibits any discrimination, distinction, exclusion or preference based on race, national origin, colour, sex, religion, political opinion or social background.

29. The Government does not support or tolerate any acts of racial discrimination. The functioning of the State and public institutions is governed by the Constitution, which prohibits and criminalizes racial discrimination. This prohibition is enshrined

in the Act regulating the civil service, the main legislation governing the functioning of public administration in Mauritania.

30. Under the international human rights conventions ratified by Mauritania, public institutions are obliged to prohibit and combat discrimination.

31. The Criminal Code addresses discrimination in section II, on crimes and offences against individuals. Chapter 1 of the Code, on crimes and offences against the person, allows judges to draw on a wide range of criminal sanctions in order to punish any racist practice in a manner commensurate with its gravity.

(d)

32. The Malian refugee populations are housed in the M'berra camp, Bassikounou *moughataa*, on the border between Mauritania and Mali. The camp is managed jointly by the Government of Mauritania and the Office of the United Nations High Commissioner for Refugees. The populations there receive assistance in all areas (health, education, water and sanitation, food, security, etc.). The Government and its partners make every effort to ensure that women and their rights are protected.

33. In conclusion, the Government of the Islamic Republic of Mauritania wishes the information provided to be taken into account and remains ready to participate in a constructive dialogue with the Committee on the Elimination of Discrimination against Women on the observations and recommendations made to it following the presentation of its report at the fifty-eighth session of the Committee, held in Geneva in 2014.